

**EPSTEIN SACKS PLLC
ATTORNEYS AT LAW
100 LAFAYETTE STREET
SUITE 502
NEW YORK, N.Y. 10013
(212) 684-1230**

**BENNETT M. EPSTEIN: (917) 653-7116
SARAH M. SACKS: (917) 566-6196**

February 2, 2021

Hon. Sidney H. Stein
United States District Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

**Filed on ECF and sent
via email to Laura_Blakely@nysd.uscourts.gov**

Re: *United States v. Jose Adames*
19 Cr. 76 (SHS)

Dear Judge Stein:

We represent the defendant, Jose Adames, pursuant to the Criminal Justice Act. Mr. Adames was sentenced by Your Honor on January 28, 2020 to 16 months imprisonment. He was originally supposed to surrender to CI Moshannon Valley on March 27, 2020. Since then, your Honor has adjourned Mr. Adames' surrender date based on the COVID-19 pandemic. His current surrender date is February 12, 2021. We write to request an additional adjournment of at least 90 days on this same basis.

The Court's reasoning for previously postponing Mr. Adames' surrender date remains true. In fact, since the Court's prior rulings, conditions have gotten worse, not better. Over the past week, there has been an average of 146,486 cases of COVID-19 reported daily across the United States. (*Covid in the U.S.: Latest Map and Case Count*, Feb. 2, 2021, THE NEW YORK TIMES, found at <https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html>.) According to the New York Times, as of today more than 570,000 incarcerated persons have been infected and at least 2,500 inmates and correctional officers have died in the United States. (*See id.*) The number of infected incarcerated persons has more than doubled in the last few months alone.

We submit that the risks associated with the continued spread of COVID-19 through the federal prison system warrant an adjournment of Mr. Adames' surrender date, particularly when

weighed against the lack of risk of flight and lack of danger to the community posed by his continued release. We have conferred with the Government and they have no objection to this request.

Respectfully submitted,

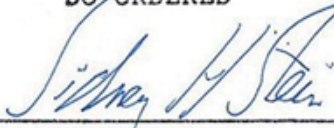
Sarah M. Sacks

Bennett M. Epstein
Sarah M. Sacks

cc: AUSA Kyle Wirshba (by email)

Defendant's surrender date is adjourned to May 7, 2021.

**Dated: New York, New York
February 2, 2021**

SO ORDERED


SIDNEY H. STEIN
U.S.D.J.